<u>REMARKS/ARGUMENT</u>

This Amendment is being filed in response to the Office Action dated December 9, 2005.   Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-26 are pending in this application.  Claims 1, 16, and 26 are independent claims.

In the Office Action, Claims 1-12, 16-22, and 26 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,185,538 to Schulz ("Schulz") in view of U.S. Patent No. 5,677,835 to Carbonell ("Carbonell").   Claims 13-15 and 23-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schulz in view of Carbonell in further view of U.S. Patent No. 6,077,085 to Parry ("Parry").

<u>Statement of Common Ownership</u>

It is respectfully submitted that the present patent application and U.S. Patent No. 6,185,538 to Schulz were, at the time the invention of the present patent application was made,

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commonly owned by the same entity or subject to an obligation of assignment to the same entity.

Based on the foregoing, the Applicant respectfully submits that U.S. Patent No. 6,185,538 to Schulz is disqualified as prior art. Since Shulz is the primary reference utilized for rejecting each of the pending claims, it is respectfully submitted that Claims 1-26 are allowable and an indication to that effect is respectfully requested.

Further, the Office Action acknowledges that even Schulz does not "teach variable level of complexity of translation." (See, Office Action, page 3, line 9.) Carbonell is cited for showing this feature in Col. 24, lines 23-45. This assertion is respectfully refuted. While Carbonell does show a computer-based authoring and translation device (e.g., see, FIGs. 1A, 1B and accompanying description in Col. 4, lines 27-59), it does not disclose or suggest a "variable level of complexity of translation to a target language" as stated in the Office Action and as substantially required by each of the pending claims.

In fact, the section cited in the Office Action, namely Col. 24, lines 23-45, describes a portion of the authoring process and

not the translation process. Specifically, "[r]eferring to FIG. 8, a high level flow chart of the grammar checker 620 (syntactical analysis) and disambiguation checker 630 (semantic analysis) is shown." (See, Col. 24, lines 17-19.) These elements are depicted in FIG. 6 which "shows a high level flow chart of the operation of the LE 130." (See, Col. 19, lines 36-37 and further that discuss operation of the authoring Language Editor (LE) 130.) As is made clear in Carbonell, the LE 130, which is a portion of the Text Editor (TE) 140 (e.g., see, FIG. 1b), (emphasis provided) "is a set of tools to support authors and editors in creating documents in [Constrained Source Language] CSL. These tools will help authors to use the appropriate CSL vocabulary and grammar to write their documents. The LE 130 communicates with the author 160 (and vice versa) ... The LE 130 informs the author 160 whether words and phrases that are used are in CSL ... It also provides an author with support in disambiguating sentences that may be syntactically correct but are semantically ambiguous." (see, Col. 5, lines 7-20.) As is made further clear, (emphasis provided) "[t]he LE 130 is built as an extension to the text editor 140 which provides the basic word processing functionality required by authors and editors to create text and tables." (See, Col. 5, lines 51-54.)

Returning to the section of Carbonell that is cited in the Office Action, the author/editor grammar checker 620 of the LE 130 is described and particularly, the portion of the grammar checker 620 that "identifies every sentence [for the author/editor] that does not conform to the CSL specification." (See, Col. 24, lines 26-27.)

As should now be very clear, Carbonell clearly does not disclose or suggest (emphasis provided) "sequentially analyzing portions of said text data in an original language in which said text data is received; sequentially translating said portions of text data in accordance with a variable level of complexity of translation to a target language; and displaying said portions of translated text data while simultaneously playing the audio/video signal that is temporally related to each of the portions" as required by Claim 1 and as substantially required by each of Claims 16 and 26. Clearly the editing tools of Carbonell which (emphasis provided) "is a set of tools to support the authors and editors in creating documents in CSL" can not be said to disclose or suggest the translating element of each of the currently pending claims!

Based on all of the foregoing, the Applicants respectfully submit that independent Claims 1, 16 and 26 are patentable over

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Schulz in view of Carbonell and notice to this effect is earnestly solicited.   Claims 2-15, 17-25 respectively depend from one of Claims 1 and 16 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims.   However, it is respectfully noted that <u>at least this same issue</u> of Carbonell showing an authoring/editing tool can be made for each of the dependent claims.   Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.
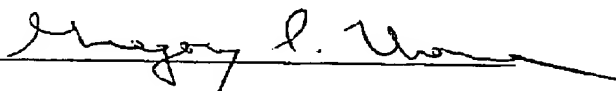
In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response.   Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks.   However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary.   No arguments are waived and none of the Examiner's statements are conceded.

PATENT
SERIAL NO. 09/966,404
AMENDMENT IN REPLY TO OFFICE ACTION OF DECEMBER 9, 2005

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Early and favorable action is earnestly solicited.

Respectfully submitted,

By _____

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